

# STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
302 W. WASHINGTON STREET, SUITE E-306  
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>  
Office: (317) 232-2701  
Facsimile: (317) 232-6758

**IN THE MATTER OF THE PETITION BY  
SUGAR CREEK ENERGY, L.L.C., FOR CERTAIN  
DETERMINATIONS BY THE COMMISSION  
WITH RESPECT TO ITS JURISDICTION OVER  
PETITIONER'S ACTIVITIES AS AN EXEMPT  
WHOLESALE GENERATOR UNDER  
FEDERAL LAW**

**CAUSE NO. 41753**

**FILED**

**JUN 04 2004**

INDIANA UTILITY  
REGULATORY COMMISSION

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On February 23, 2001, the Commission issued an Order ("Order") in this Cause approving the relief requested by the Petitioner. As a condition of its approval the Order included specific reporting requirements, and stated that:

In addition to the foregoing reporting requirements, it shall be a condition of this Order and our continued partial declination of jurisdiction over Petitioner's operations, that it file with the Commission Annual Reports as provided in I.C. 8-1-2-49 and provide *such other information as the Commission may from time to time request*. These reporting requirements are intended to ensure that the Commission obtains reliable up-to-date information in a timely manner necessary to carry out its statutory obligations regarding the construction and operation of generating facilities, as well as the statutory obligations of the Commission's State Utility Forecasting Group, and the Office of the Utility Consumer Counselor. (Emphasis added).

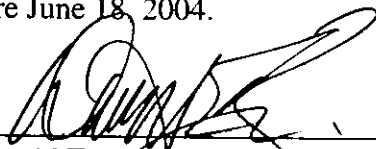
Order at 10.

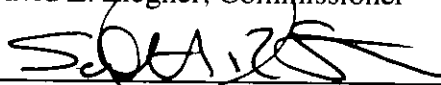
Pursuant to the specific conditions set forth in the Order, the Petitioner is hereby directed to respond to the following questions:

1. Please provide the total number of operating hours for 2002 and 2003.
2. Please provide the total number of MWhs produced in 2002 and 2003.
3. Please indicate the output by month for 2002 and 2003.
4. Please indicate total revenue in 2002 and 2003.
5. Please indicate if any output in 2002 or 2003 was sold to an electric utility under a power sales contract. If so, please indicate the percentage of the total output that was sold under contract.

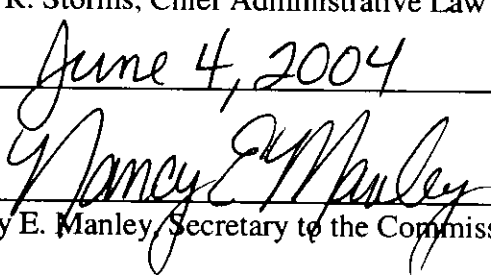
The Presiding Officers hereby find that the Petitioner should file a response to this Docket Entry with the Commission on or before June 18, 2004.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
David E. Ziegner, Commissioner

  
\_\_\_\_\_  
Scott R. Storms, Chief Administrative Law Judge

Date

  
\_\_\_\_\_  
Nancy E. Manley, Secretary to the Commission